

Smith
v
City of Chicago
Members of the Jury:

In response to your question, which relates to plaintiff's third claim, under the circumstances of this case the decision not to proceed with the criminal charges after the Illinois Appellate Court's decision constitutes "a favorable termination in the criminal proceeding."

Milton I. Shadur

Milton I. Shadur
Senior United States District Judge

Date: December 16, 2010
12:30 p.m.

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12-16-2010
DEC 16 2010
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT